

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Cause No. 1:20-cr-0041-SEB-DLP
)	
ASHANI BURNETT-CISSE,)	
)	
Defendant.)	- 02

REPORT AND RECOMMENDATION

On February 14, 2022, the Court held the initial appearance on the Petition for Warrant or Summons for Offender Under Supervision filed on December 22, 2021. Defendant Burnett-Cisse appeared via video with her appointed counsel Dominic Martin. The government appeared by Kristina Korobov, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer James Thomas.

On February 22, 2022, the Court held the preliminary and revocation hearing on the Petition for Warrant or Summons for Offender Under Supervision filed on December 22, 2021. Defendant Burnett-Cisse appeared via video with her appointed counsel Terry Tolliver. The government appeared by Kristina Korobov, Assistant United States Attorney. U. S. Parole and Probation appeared by Officer James Thomas.

The Court conducted the following procedures in accordance with Fed. R. Crim. P. 32.1(a)(1) and 18 U.S.C. § 3583:

1. The Court advised Defendant Burnett-Cisse of her rights and provided her with a copy of the petition. Defendant Burnett-Cisse orally waived her right to a preliminary hearing.

2. After being placed under oath, Defendant Burnett-Cisse admitted violation numbers 1, 2, and 3. [Docket No. 120.]

3. The allegations to which Defendant admitted, as fully set forth in the petition, are:

**Violation
Number**

Nature of Noncompliance

1 **“You shall reside in a residential reentry center for a term of up to six months. You shall abide by the rules and regulations of the facility.”**

On December 20, 2021, staff with the Residential Reentry Center (RRC) advised Ms. Burnett-Cisse failed to return to the RRC on December 17, 2021, after her approved pass. On December 20, 2021, she contacted this writer and attempted to explain her reason for not returning. She was directed to return to the RRC immediately. As of this writing she has failed to return to the facility, and her whereabouts is unknown.

2 **“You shall consent, at the direction of the probation officer, to having installed on your computer(s), electronic devices, and any hardware or software, systems to monitor your use of these items. Monitoring will occur on a random and/or regular basis. You will warn other occupants or users of the existence of the monitoring hardware or software. To promote the effectiveness of this monitoring, you shall disclose in advance all cellular phones, electronic devices, computers, and any hardware or software to the probation officer and may not access or use any undisclosed equipment.”**

As of December 17, 2021, Ms. Burnett-Cisse's monitored device stopped transmitting data as required. Therefore, as of this writing it is believed she is in possession of an unmonitored device.

3 **“You shall refrain from any unlawful use of a controlled substance.”**

On October 13, 2021, Ms. Burnett-Cisse submitted a urine sample which tested positive for cannabinoids.

4. The parties stipulated that:

(a) The highest grade of violation is a Grade C violation.

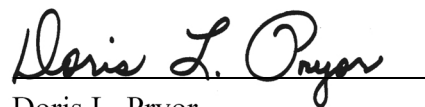
- (b) Defendant's criminal history category is I.
- (c) The range of imprisonment applicable upon revocation of supervised release, therefore, is 3 to 9 months' imprisonment.

5. The parties jointly recommended a sentence of nine (9) months with no supervised release to follow.

The Magistrate Judge, having considered the factors in 18 U.S.C. § 3553(a), and as more fully set forth on the record, finds that the Defendant violated the conditions in the petition, that her supervised release should be revoked, and that she should be sentenced to the custody of the Attorney General or his designee for a period of nine (9) months with no supervised release to follow. The Defendant is to be taken into custody immediately pending the District Judge's action on this Report and Recommendation.

The parties are hereby notified that the District Judge may reconsider any matter assigned to a Magistrate Judge. The parties have fourteen days after being served a copy of this Report and Recommendation to serve and file written objections with the District Judge.

Date: 2/25/2022

A handwritten signature in black ink, reading "Doris L. Pryor", written over a horizontal line.

Doris L. Pryor
United States Magistrate Judge
Southern District of Indiana

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